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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/595,123

02/27/2006

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Q-93468

3039

23373 7590 06/10/2008
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EXAMINER

HAUTH, GALEN H

ART UNIT

PAPER NUMBER

4111

MAIL DATE

DELIVERY MODE

06/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/595,123	Applicant(s) DE WINTER ET AL.	
	Examiner GALEN HAUTH	Art Unit 4111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-32 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group 1, claim(s) 1-13, 16-17, 23-24, and 26-32, drawn to a method characterized by the formation of a second substrate layer.

Group 2, claim(s) 14-15, 18-22, drawn to a method characterized by the workstations used to produce a composite part.

Group 3, claim(s) 25, drawn to a method characterized by a width of a contact zone between two substrates in a composite.

2. The inventions listed as Groups 1, 2, and 3 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: The common technical feature of the three groups is the method steps comprising having a mold of two halves, forming a skin layer in the first half, forming a substrate layer in the second half, joining the two halves together, filling the cavity formed with a curable foam, curing the foam, and releasing the part, which comprises the main body of each independent claim. This common technical feature was found to not define over the prior art *a posteriori* in view of Lammon (Pub No. 2003/0042643). Due to a lack of a common **special** technical feature these three groups are subject to restriction.

The independent claim of Group 1 recites in the last paragraph of the claim a limitation (forming said substrate with the back against the second mould surface according to specific processes) which is a distinct technical feature from any limitation found in the independent claims of Groups 2 and 3. Likewise Group 2 recites in the last paragraph of the claim has a technical feature (defining a complex workstation outline for moving two mold halves) which is distinct from any limitation found in the independent claims of Groups 1 and 3. Likewise Group 3 recites (in the last paragraph of the claim) a technical feature (specifying the contact zone between two substrates) which is distinct from any limitation found in the independent claims of Groups 1 and 2.

3. This application contains claims directed to more than one species for forming a flexible skin layer of the generic invention in Group 1. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species for forming the flexible skin layer are as follows:

- a. Spraying a reactive liquid into the mold half
- b. Slush coating with a reactive liquid

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

4. The claims are deemed to correspond to the species listed above in the following manner:

- a) 26
- b) 31

The following claim(s) are generic: 1

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5. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: The common technical feature of the two species is the method steps comprising having a mold of two halves, forming a skin layer in the first half, forming a substrate layer in the second half, joining the two halves together, filling the cavity formed with a curable foam, curing the foam, and releasing the part. This common technical feature was found to not define over the prior art *a posteriori* in view of Lammon (Pub No. 2003/0042643). Due to a lack of a common **special** technical feature these two groups are subject to restriction.

6. This application contains claims directed to more than one species for forming a flexible skin layer of the generic invention in Group 2. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species for forming the flexible skin layer are as follows:

- c. Spraying a reactive liquid into the mold half
- d. Injecting a reactive liquid into a mold cavity
- e. Slush coating with a reactive liquid

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims

are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

7. The claims are deemed to correspond to the species listed above in the following manner:

- c) 19
- d) 20
- e) 21

The following claim(s) are generic: 14.

8. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: The common technical feature of the three species is the method steps comprising having a mold of two halves, forming a skin layer in the first half, forming a substrate layer in the second half, joining the two halves together, filling the cavity formed with a curable foam, curing the foam, and releasing the part. This common technical feature was found to not define over the prior art *a posteriori* in view of Lammon (Pub No. 2003/0042643). Due to a lack of a common **special** technical feature these three groups are subject to restriction.

9. This application contains claims directed to more than one species for forming a rigid substrate layer of the generic invention in Group 1. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species for forming the rigid substrate layer are as follows:

- f. Spraying a reactive liquid into the mold half
- g. Injecting a reactive liquid into a mold cavity
- h. Slush coating with a reactive liquid
- i. Thermoforming a rigid sheet in the mold half

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply

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must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

10. The claims are deemed to correspond to the species listed above in the following manner:

- f) 1 and 5
- g) 1 and 6
- h) 1 and 7
- i) 1 and 2

The following claim(s) are generic: none.

11. The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: The common technical feature of the four species is the method steps comprising having a mold of two halves, forming a skin layer in the first half, forming a substrate layer in the second half, joining the two halves together, filling the cavity formed with a curable foam, curing the foam, and releasing the part. This common technical feature was found to not define over the prior art *a posteriori* in view of Lammon (Pub No. 2003/0042643). Due to a lack of a common **special** technical feature these four species are subject to restriction.

12. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim

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remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GALEN HAUTH whose telephone number is (571)270-5516. The examiner can normally be reached on Monday to Thursday 7:30am-5:00pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sam Yao can be reached on (571)272-1224. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GHH/

/Sam Chuan C. Yao/
Supervisory Patent Examiner, Art Unit 4111